

REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. Applicant has amended Claims 1, 16 and 29 and cancelled Claims 44 and 45. Applicant submits that no new matter has been added. Thus, Claims 1-43 remain pending in this application. This application has been carefully reviewed in light of the Official Action mailed January 17, 2006. Applicant respectfully requests reconsideration and favorable action in this case.

Double Patenting Rejection

Claims 44 and 45 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 36 and 37 of U.S. Patent Application No. 10/733,798. Applicant has cancelled Claims 44 and 45. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. § 112

Claims 1-45 stand rejected under 35 U.S.C. § 112, second paragraph. Applicant respectfully disagrees and directs the Examiner's attention to Paragraphs [0061-0062] and [0064-0069]. Consequently, the Applicant respectfully submits the specification described the claimed subject matter in such a way as to meet the requirements of 35 U.S.C. 112. Accordingly, withdrawal of this rejection is respectfully requested.

Rejections under 35 U.S.C. §§ 102 & 103

Claims 1-15 and 29 stand rejected as anticipated by U.S. Patent No. 5,740,430 ("Rosenberg"). Claims 1-7, 10-12, 16-20, 23-25, 29-35 and 38-40 stand rejected as anticipated by U.S. Patent No. 5,946,697 ("Shen"). Claims 8-9, 21-22 and 36-37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Shen in view of U.S. Patent No. 6,591,266 ("Li"). Claims 13-15, 26-28, and 41-43 stand rejected are rejected under 35 U.S.C. §103(a) as being unpatentable over Shen in view of U.S. Patent No. 6,029,175 ("Chow").

Applicant has amended Claim 1, 16 and 29. Applicant submits that no new matter has been added by these amendments. Applicant respectfully submits that neither Shen nor Rosenberg disclose all the limitations of Claim 1, specifically: regenerating a request from

metadata associated with content previously stored in the cache, wherein the previously stored content was generated based on a previously received request identical to the generated request and the metadata is stored in conjunction with the previously stored content; receiving new content; wherein the new content is generated based on the request; and replacing the previously stored content with the new content in the cache. Claims 16 and 29 recite limitations similar to Claim 1. Consequently, Applicant respectfully requests the withdrawal of the rejection of Claims 1, 16 and 29 and their dependent Claims 2-15, 17-28 and 30-43.

Claims 44 and 45 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 7,024,452 ("O'Connell"). Applicant has cancelled Claims 44 and 45, accordingly Applicant respectfully submits that this rejection is now moot.


CONCLUSION

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-43. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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Date: 9-5 2006

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